



**Universal Service Administrative Company**  
Schools & Libraries Division

---

**REPAYMENT/OFFSET DEMAND LETTER**

May 6, 2004

Don Hegarty  
Coordinated Construction, Inc.  
2696 Lavery Court, # 7  
Thousand Oaks, CA 91320-1504

FILE  
MAY 11 2004

SPIN: 143010948  
Applicant Name LOS ANGELES UNIFIED SCHOOL DISTRICT  
Billed Entity Number: 143454

Dear Service Provider:

You were recently sent a Recovery of Erroneously Disbursed Funds letter informing you of the need to recover funds for the Funding Request Number(s) (FRNs) listed on the Option Selection Worksheet attached to this letter. The Federal Communications Commission by its order FCC 00-350 (released October 26, 2000) has directed USAC to implement the funds recovery process from service providers who received erroneous funding amounts. Listed below are the options available to you to return the total 'Funds to be Recovered' amount as specified on Recovery of Erroneously Disbursed Funds letter you have been provided.

To allow USAC to recover these funds, you may choose one of three options listed below:

1. Remit to USAC the stated 'Funds to be Recovered' amount, within 30 days of the date of this letter,
2. Offset the stated amount owed to USAC by foregoing disbursement(s) on alternate valid funding commitments or pending funding requests for the same applicant for the same or alternate funding year, or
3. A combination of the above two options. The sum must equal the required recovery amount.

Please review the attachments, **complete the Option Selection Worksheet, and return it within 30 days of the date of this letter.** An instruction sheet has been provided as well as a listing of alternate FRNs with valid funding commitments available for offset. Following are specific instructions for each option:

- If you select the cash payment option (# 1), please make your check payable to: "USAC – Fund Recovery" and remit the full "Funds to be Recovered" amount and your completed Option Selection Worksheet to the REPAYMENT ADDRESS below.
- If you select the offset option (# 2), USAC will offset the approved disbursement amounts from the first submitted invoices for the FRNs you indicated on your Option Selection Worksheet against the USAC recovery amount. You will be notified of the amounts on the invoices that have been approved and the funds have been credited as an offset. Once the USAC recovery is satisfied, any additional invoices submitted would be processed as usual, subject to remaining availability of funds for each FRN against which recovery has been processed. If you select this option, please remit your completed Option Selection Worksheet to the Whippany, NJ address indicated on the Option Selection Worksheet instructions.
- If you select the combination option (#3), please indicate the amount of your cash payment on the Options Selection Worksheet, make your check payable to: "USAC – Fund Recovery" and remit your check and your completed Option Selection Worksheet to the REPAYMENT ADDRESS below. The difference between the dollar amount remitted and the total "Funds to be Recovered" amount due to USAC is the remaining amount to be recovered as in Option 2 above — that is, by foregoing disbursement(s) on alternate FRNs after work is completed and invoices are submitted to the SLD. The sum of both options must equal the total recovery amount.

If you select either Option 2 or Option 3 above, the following examples may help you understand how USAC will process submitted invoices to ensure accurate and timely recovery of funds. The offset methodology applies to both Service Provider Invoice Forms (FCC Form 474) and Billed Entity Applicant Reimbursement (BEAR) Forms (FCC Form 472). However, if USAC offsets an amount from an alternate FRN against the recovery amount, this action does not relieve you of the responsibility for offering discounts or reimbursements to the applicant under that FRN consistent with your certifications on the BEAR Form.

Example 1 illustrates processing of invoices that exactly offset the recovery dollar amount:

Adjusted FRN and Recovery Dollar Amount	Alternate FRN and Available Dollar Amounts	Invoices Submitted (Form 472 or 474)	USAC Applies to Recovery	USAC Pays
123456 \$1,000	123457 \$1,500	\$300	\$300	-0-
	123458 \$ 800	\$400	\$400	-0-
	123459 \$1,200	\$300	\$300	-0-
<u>Total \$1,000</u>	<u>\$3,500</u>	<u>\$1,000</u>	<u>\$1,000</u>	<u>-0-</u>

Example 2 illustrates how invoices can be processed once the FULL amount of the recovery has been obtained:

Adjusted FRN and Recovery Dollar Amount	Alternate FRN and Available Dollar Amounts	Invoices Submitted (Form 472 or 474)	USAC Applies to Recovery	USAC Pays
123456 \$1,000	123457 \$1,500	\$600	\$600	-0-
	123458 \$ 800	\$800	\$400	\$ 400
	123459 \$1,200	\$1,200	\$0	\$1,200
Total \$1,000	\$3,500	\$2,600	\$1,000	\$1,600

Note: In the two examples above offsets will occur based when invoices are approved for payment.

#### REPAYMENT ADDRESS

**If you elect cash repayment, you should include a copy of the first page of this letter with your payment. Your payment should be sent to:**

<b>Universal Service Administrative Company 135 S. LaSalle, Dept. 1259</b>
--

Your payment must be received **WITHIN 30 days** of the date of this letter. Failure to timely submit your payment will result in a referral to the Federal Communications Commission for appropriate action.

CC: James Alther

LOS ANGELES UNIFIED SCHOOL DISTRICT  
333 S BEAUDRY AVE  
LOS ANGELES, CA 90017

**INSTRUCTIONS FOR:**

**SERVICE PROVIDER  
“OPTION SELECTION WORKSHEET”**

**1. Check Repayment option**

- If you are choosing Option 1 or 3

**Return within 30 days of the date of this letter:**

The completed, signed Option Selection Worksheet with your check to the appropriate address identified below:

If sending by US Mail or major courier service (e.g. Airborne, Federal Express, and UPS) please send check payments to:

Universal Service Administrative Company  
1259 Paysphere Circle  
Chicago, IL 60674

If you are located in the Chicago area and use a local messenger rather than a major courier service, please address and deliver the package to:

Universal Service Administrative Company  
Lockbox 1259  
540 West Madison 4th Floor  
Chicago, IL 60661

Local messenger service should deliver to the Lockbox Receiving Window at the above address.

- If you are choosing Option 2:

Return the completed, signed Option Selection Worksheet **within 30 days of the date of this letter to:**

Box 125, Correspondence Unit,  
80 South Jefferson Road,  
Whippany, New Jersey 07981

2. Indicate the amounts for the recovery option you have chosen.
3. **Sign and date** the Worksheet where indicated.

## **OPTION SELECTION WORKSHEET**

**Case Number: OSW- 112**

### **SELECT PAYMENT OPTION AND AMOUNTS FOR RECOVERY:**

Applicant Name: LOS ANGELES UNIFIED SCHOOL DISTRICT  
Applicant Address: 333 S BEAUDRY AVE, LOS ANGELES, CA 90017  
Billed Entity Number: 143454

### **ERRONEOUSLY DISBURSED FUNDS:**

<u>Funding Year End</u>	<u>471 #</u>	<u>FRN</u>	<u>Funds to be Recovered</u>
06/30 2000	152078	262467	<u>\$224,550.00</u>
Total Funds to be recovered for this applicant:			<u>\$224,550.00</u>

### **Check one repayment option and specify dollar amount:**

1. ☐ Remit check for total amount
2. ☐ Offset total amount from FRNs
3. ☐ Combination check and offset

**TOTAL TO REMIT:** \$ \_\_\_\_\_

**TOTAL AMOUNT TO OFFSET:** \$ \_\_\_\_\_

**TOTAL AMOUNT OF RECOVERY:** \$ \_\_\_\_\_

***(Must equal the total amount to recover stated above)***

Signature of Authorized Representative \_\_\_\_\_  
Print Name of Authorized Representative \_\_\_\_\_  
Name of Service Provider \_\_\_\_\_  
Date \_\_\_\_\_

**SCHEDULE OF ALTERNATIVE VALID FRNs AVAILABLE FOR OFFSET**

Applicant Name: LOS ANGELES UNIFIED SCHOOL DISTRICT  
Applicant Address: 333 S BEAUDRY AVE, LOS ANGELES, CA 90017  
Billed Entity Number: 143454

**Other Valid FRNs for this applicant with unpaid dollars available for Offset:**

<u>Fund Year End</u>	<u>471 #</u>	<u>FRN</u>	<u>Dollars Potentially Available for Offset</u>
<b>Total Potentially Available for Offset:</b>			<b>\$0.00</b>

**NO OFFSETS AVAILABLE.**

\* The FCC directed in its October 26, 2000, Order that USAC permit service providers to choose as potential offsets pending funding requests that have not yet been featured in a Funding Commitment Decision Letter (FCDL). Therefore, the column 'Dollars Potentially Available for Offset' may include FRNs in the SLD system for which no decision has yet been issued. If so, those pending FRNs are indicated by an asterisk to the right of the requested discount. If, after SLD review is completed, any such request is reduced or denied, the potential offsets would be reduced and if total potential offsets fall below the 'Total Funds to be Recovered' shown above, the service provider will be required to remit payment for any shortfall.

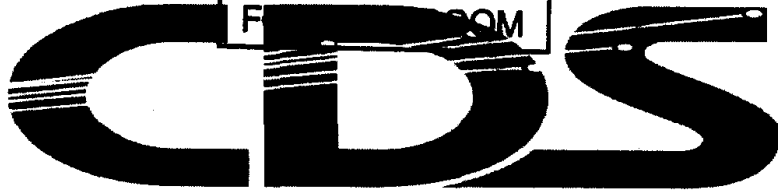
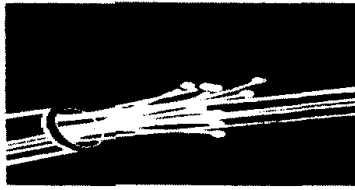
**Coordinated Construction, Inc.  
2696 Lavery Court, # 7  
Thousand Oaks, CA 91320-1504**



RECEIVED & INSPECTED

JUN 14 2004

FROM



**Communication Data and Security, Inc.**

FACSIMILE TRANSMITTAL SHEET

TO:	Appeals Division	FROM:	Arthur Jacknis
COMPANY:	FCC	DATE:	June 11, 2004
FAX NUMBER:	202-418-0187	TOTAL NUMBER OF PAGES INCLUDING COVER:	19
PHONE NUMBER:		RE:	Request For Review - Letter of Appeal

☒ URGENT    ☒ FOR REVIEW    ☐ PLEASE COMMENT    ☒ PLEASE REPLY    ☐ PLEASE RECYCLE

NOTES/COMMENTS:

I have attached a 9 page Request For Review and a 9 page copy of the original appeal to the SLD.

Contact Name: Arthur Jacknis  
Contact Phone: 845-371-1111 ext 101  
Contact Email: [ajacknis@gocomdata.com](mailto:ajacknis@gocomdata.com)

Thank you for your attention.

No. of Copies rec'd 0  
List ABCDE



RECEIVED & INSPECTED  
JUN 14 2004  
FCC - MAILROOM

## **Letter of Appeal – Request For Review**

June 11, 2004

Request for Review  
CC Docket No. 02-6

Federal Communications Commission  
Office of the Secretary  
9300 East Hampton Drive  
Capitol Heights, MD 20743

Contact Info: Arthur Jacknis  
55 Union Road  
Suite 204  
Spring Valley NY 10977  
SPIN: 143005086

Phone: 845-371-1111 ext 101  
Fax: 845-678-7101  
Email: [ajacknis@gocomdata.com](mailto:ajacknis@gocomdata.com)

Funding Year: 2002

Communication Data And Security, Inc. on behalf of the Schools and Libraries denied funding in Funding Year 2002 as per list below is submitting this Request For Review of our Letter of Appeal:

APPLICANT NAME	BEN #	471 #	FRN
BAIS CHINUCH HAYOSHEN	210385	294981	755422
BAIS CHINUCH HAYOSHEN	210385	294981	755423
BAIS CHINUCH HAYOSHEN	210385	294981	755424
BAIS CHINUCH HAYOSHEN	210385	294981	755425
BAIS TOVA	209165	287825	754354
BAIS TOVA	209165	287825	754355
BAIS TOVA	209165	287825	754356
BAIS YAAKOV HIGH SCHOOL OF LAKEWOOD, INC.	197802	287451	756134
BAIS YAAKOV HIGH SCHOOL OF LAKEWOOD, INC.	197802	287451	756142
BAIS YAAKOV HIGH SCHOOL OF LAKEWOOD, INC.	197802	287451	756149
BAIS YAAKOV HIGH SCHOOL OF LAKEWOOD, INC.	197802	287451	756159
BAIS YAAKOV HIGH SCHOOL OF LAKEWOOD, INC.	197802	287451	756179
BETH RIVKA SCHOOL	11986	287822	863870
BETH RIVKA SCHOOL	11986	287822	863545

BETH RIVKA SCHOOL	11986	287822	863565
BETH RIVKA SCHOOL	11986	287822	863581
BETH RIVKA SCHOOL	11986	287822	863596
BETH RIVKA SCHOOL	11986	287822	863616
BETH RIVKA SCHOOL	11986	287822	863660
BETH RIVKA SCHOOL	11986	287822	863716
BETH RIVKA SCHOOL	11986	287822	863756
BETH RIVKA SCHOOL	11986	287822	863773
BETH RIVKA SCHOOL	11986	287822	863794
BETH RIVKA SCHOOL	11986	287822	863803
BETH RIVKA SCHOOL	11986	287822	863821
BETH RIVKA SCHOOL	11986	287822	863843
BNOS CHAYIL	195514	288799	750616
BNOS CHAYIL	195514	288799	750618
BNOS CHAYIL	195514	288799	750619
BNOS CHAYIL	195514	288799	750621
BNOS CHAYIL	195514	288799	750622
BNOS CHAYIL	195514	288799	750623
CONG. BNAI YOEL	148825	300877	771625
CONG. BNAI YOEL	148825	300877	771634
CONG. BNAI YOEL	148825	300877	771639
CONG. BNAI YOEL	148825	300877	771644
CONG. BNAI YOEL	148825	293323	750752
CONG. BNAI YOEL	148825	293323	750753
CONG. BNAI YOEL	148825	293323	750754
CONG. BNAI YOEL	148825	293323	750755
CONG. BNAI YOEL	148825	322057	857395
CONGREGATION MACHZIKEI HADAS OF BELZ	153066	293889	752457
CONGREGATION MACHZIKEI HADAS OF BELZ	153066	293889	752458
CONGREGATION MACHZIKEI HADAS OF BELZ	153066	293889	752460
CONGREGATION MACHZIKEI HADAS OF BELZ	153066	293889	752461
CONGREGATION NOAM E. LIZENSK	195522	287796	751429
CONGREGATION NOAM E. LIZENSK	195522	287796	751432
CONGREGATION NOAM E. LIZENSK	195522	287796	751433
CONGREGATION NOIAM MGODIM	210745	296699	760405
CONGREGATION NOIAM MGODIM	210745	322734	861618
GENERATION CHRISTIAN ACADEMY	227112	297919	871154
KAVANAS HALEV	208934	294702	754526
KAVANAS HALEV	208934	294702	754527
KAVANAS HALEV	208934	294702	754528
KAVANAS HALEV	208934	294702	754529
KAVANAS HALEV	208934	294702	754530
KAVANAS HALEV	208934	294702	754531
KAVANAS HALEV	208934	294702	754532
KAVANAS HALEV	208934	287455	754519
KAVANAS HALEV	208934	287455	754520
KAVANAS HALEV	208934	287455	754521
KAVANAS HALEV	208934	287455	754522
KAVANAS HALEV	208934	287455	754523
KAVANAS HALEV	208934	287455	754525
LAKEWOOD CHEDER SCHOOL	197819	287220	798783

LAKEWOOD CHEDER SCHOOL	197819	287220	756242
LAKEWOOD CHEDER SCHOOL	197819	287220	756247
LAKEWOOD CHEDER SCHOOL	197819	287220	756254
LAKEWOOD CHEDER SCHOOL	197819	287220	756256
LAKEWOOD CHEDER SCHOOL	197819	287220	756271
LAKEWOOD CHEDER SCHOOL	197819	287220	756276
LAKEWOOD CHEDER SCHOOL	197819	287220	756279
LAKEWOOD CHEDER SCHOOL	197819	287220	756282
LAKEWOOD CHEDER SCHOOL	197819	287220	756285
LAKEWOOD CHEDER SCHOOL	197819	287220	756287
LAKEWOOD CHEDER SCHOOL	197819	287220	786875
MACHNE KARLIN STOLIN	228598	313957	822117
MACHNE KARLIN STOLIN	228598	313957	822151
MIDRASH L'MAN ACHAI	220670	324976	870476
MIDRASH L'MAN ACHAI	220670	324976	870489
MIDRASH L'MAN ACHAI	220670	324976	870498
MIDRASH L'MAN ACHAI	220670	324976	870517
MIDRASH L'MAN ACHAI	220670	324976	870525
MIDRASH L'MAN ACHAI	220670	324976	870537
MIDRASH L'MAN ACHAI	220670	324976	870584
MIDRASH L'MAN ACHAI	220670	324976	870589
MIDRASH L'MAN ACHAI	220670	324976	870594
MIDRASH L'MAN ACHAI	220670	300353	771807
MIDRASH L'MAN ACHAI	220670	300353	771815
MIDRASH L'MAN ACHAI	220670	300353	771820
MIDRASH L'MAN ACHAI	220670	300353	771832
MIDRASH L'MAN ACHAI	220670	294833	754967
MIDRASH L'MAN ACHAI	220670	294833	754970
SHAAR EPHRAIM	153552	287472	751369
SHAAR EPHRAIM	153552	287472	751370
TALMUD TORAH BAIS YECHIEL	195206	287833	748470
TALMUD TORAH BAIS YECHIEL	195206	287833	748550
TALMUD TORAH BAIS YECHIEL	195206	287833	748552
TALMUD TORAH BAIS YECHIEL	195206	287833	748567
TALMUD TORAH OF LAKEWOOD	208930	287134	750725
TALMUD TORAH OF LAKEWOOD	208930	287198	750728
TALMUD TORAH OF LAKEWOOD	208930	287198	750729
TALMUD TORAH OF LAKEWOOD	208930	287198	750730
TALMUD TORAH OF LAKEWOOD	208930	287198	750731
TALMUD TORAH OF LAKEWOOD	208930	287198	750732
TALMUD TORAH TZOIN YOSEF PUPA INC.	153710	287216	751450
TALMUD TORAH TZOIN YOSEF PUPA INC.	153710	287216	751452
TALMUD TORAH TZOIN YOSEF PUPA INC.	153710	287216	751454
TALMUD TORAH TZOIN YOSEF PUPA INC.	153710	287216	751457
TALMUD TORAH TZOIN YOSEF PUPA INC.	153710	287216	751459
TIFERES ACADEMY	217560	304794	785641
TIFERES ACADEMY	217560	304794	785685
TIFERES ACADEMY	217560	304794	785731
TIFERES ACADEMY	217560	304794	785766
TIFERES ACADEMY	217560	304794	785816
TIFERES ACADEMY	217560	304794	785852

TORAS IMECHA	210389	292962	755444
TORAS IMECHA	210389	292962	755446
UNITED TALMUDICAL ACADEMY	11260	295523	757278
UNITED TALMUDICAL ACADEMY	11260	295523	757282
UNITED TALMUDICAL ACADEMY	11260	295523	757284
UNITED TALMUDICAL ACADEMY	11260	295523	757287
UNITED TALMUDICAL ACADEMY	11260	295523	757299
UNITED TALMUDICAL ACADEMY	11260	295523	757309
UNITED TALMUDICAL ACADEMY	11260	295523	757310
UNITED TALMUDICAL ACADEMY	11260	295523	757313
UNITED TALMUDICAL ACADEMY	11260	295523	757314
UNITED TALMUDICAL ACADEMY	11260	295523	757321
UNITED TALMUDICAL ACADEMY	11260	295523	757328
UNITED TALMUDICAL ACADEMY	11260	295523	757332
UNITED TALMUDICAL ACADEMY	11260	295523	757333
UNITED TALMUDICAL ACADEMY	11260	295523	757335
UNITED TALMUDICAL ACADEMY	11260	295523	757346
UNITED TALMUDICAL ACADEMY	11260	295523	757349
UNITED TALMUDICAL ACADEMY	11260	295523	757350
UNITED TALMUDICAL ACADEMY	11260	295523	757351
UNITED TALMUDICAL ACADEMY	11260	295523	757355
UNITED TALMUDICAL ACADEMY	11260	295698	757676
UNITED TALMUDICAL ACADEMY	11260	295698	757698
UNITED TALMUDICAL ACADEMY	11260	295714	757730
UNITED TALMUDICAL ACADEMY	11260	307138	796279
UNITED TALMUDICAL ACADEMY	11260	307138	796282
UNITED TALMUDICAL ACADEMY	11260	307138	796284
UNITED TALMUDICAL ACADEMY	11260	307138	796289
UNITED TALMUDICAL ACADEMY	11260	307138	796293
UNITED TALMUDICAL ACADEMY	11260	307138	796295
UNITED TALMUDICAL ACADEMY	11260	307138	796298
UNITED TALMUDICAL ACADEMY	11263	293464	751193
UNITED TALMUDICAL ACADEMY	11263	293464	751196
UNITED TALMUDICAL ACADEMY	11263	293464	751198
UNITED TALMUDICAL ACADEMY	11263	293464	751202
UNITED TALMUDICAL ACADEMY	11263	293464	751204
UNITED TALMUDICAL ACADEMY	11263	291564	751169
UNITED TALMUDICAL ACADEMY	11263	291564	751171
UNITED TALMUDICAL ACADEMY	11263	291564	751175
UNITED TALMUDICAL ACADEMY	11263	291564	781992
UNITED TALMUDICAL ACADEMY	11263	291564	782003
VIZNITZER CHAIDER TIFERES YISROEL	208926	293267	750555
VIZNITZER CHAIDER TIFERES YISROEL	208926	293268	755040
VIZNITZER CHAIDER TIFERES YISROEL	208926	293268	755042
VIZNITZER CHAIDER TIFERES YISROEL	208926	294911	755054
VIZNITZER CHAIDER TIFERES YISROEL	208926	294911	755055
VIZNITZER CHAIDER TIFERES YISROEL	208926	294911	755056
VIZNITZER CHAIDER TIFERES YISROEL	208926	294911	755058
WESTCHESTER SPEC ED SCHOOL	11097	298475	841289
YESHIVA AVIR YAKOV	11332	294954	755330
YESHIVA AVIR YAKOV	11332	294954	755331

YESHIVA AVIR YAKOV	11332	294954	755334
YESHIVA AVIR YAKOV	11332	294954	755335
YESHIVA AVIR YAKOV	11332	294954	755336
YESHIVA AVIR YAKOV	11332	294954	755337
YESHIVA AVIR YAKOV	11332	294954	755338
YESHIVA AVIR YAKOV	11332	294954	755339
YESHIVA AVIR YAKOV	11332	295067	756166
YESHIVA AVIR YAKOV	11332	295067	756171
YESHIVA AVIR YAKOV	11332	295067	756176
YESHIVA AVIR YAKOV	11332	305386	787887
YESHIVA BETH DAVID SCHOOL	11262	300860	771623
YESHIVA BETH DAVID SCHOOL	11262	300860	771632
YESHIVA BETH DAVID SCHOOL	11262	300860	771640
YESHIVA BETH DAVID SCHOOL	11262	300896	771707
YESHIVA BETH DAVID SCHOOL	11262	300896	771714
YESHIVA BETH DAVID SCHOOL	11262	300896	771721
YESHIVA BETH DAVID SCHOOL	11262	300896	771729
YESHIVA BNOS AHAVAS ISRAEL	152377	287293	764943
YESHIVA BNOS AHAVAS ISRAEL	152377	287293	764962
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755516
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755517
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755518
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755519
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755520
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755521
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755522
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755523
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755524
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755525
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755526
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755527
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755528
YESHIVA BNOS AHAVAS ISRAEL	152377	321381	854040
YESHIVA IMREI CHAIM VIZNITZ OF BOROBARK	153246	293311	750685
YESHIVA IMREI CHAIM VIZNITZ OF BOROBARK	153246	293311	750686
YESHIVA IMREI CHAIM VIZNITZ OF BOROBARK	153246	293311	750687
YESHIVA IMREI CHAIM VIZNITZ OF BOROBARK	153246	293311	750688
YESHIVA IMREI CHAIM VIZNITZ OF BOROBARK	153246	293311	750689
YESHIVA IMREI CHAIM VIZNITZ OF BOROBARK	153246	293311	750690
YESHIVA IMREI CHAIM VIZNITZ OF BOROBARK	153246	293311	750692
YESHIVA IMREI CHAIM VIZNITZ OF BOROBARK	153246	293311	750693
YESHIVA IMREI YOSEF SCHOOL	11904	301267	773076
YESHIVA IMREI YOSEF SCHOOL	11904	301267	773080
YESHIVA IMREI YOSEF SCHOOL	11904	301267	773096
YESHIVA IMREI YOSEF SCHOOL	11904	301267	773109
YESHIVA IMREI YOSEF SCHOOL	11904	301267	773117
YESHIVA IMREI YOSEF SCHOOL	11904	301267	773126
YESHIVA IMREI YOSEF SCHOOL	11904	301267	773135
YESHIVA IMREI YOSEF SCHOOL	11904	301267	773144
YESHIVA IMREI YOSEF SCHOOL	11904	301267	773159
YESHIVA IMREI YOSEF SCHOOL	11904	301267	773168

YESHIVA IMREI YOSEF SCHOOL	11904	293315	772817
YESHIVA IMREI YOSEF SCHOOL	11904	293315	772827
YESHIVA IMREI YOSEF SCHOOL	11904	293315	772833
YESHIVA IMREI YOSEF SCHOOL	11904	293315	772841
YESHIVA IMREI YOSEF SCHOOL	11904	293315	772852
YESHIVA IMREI YOSEF SCHOOL	11904	293315	772857
YESHIVA IMREI YOSEF SCHOOL	11904	293315	772865
YESHIVA IMREI YOSEF SCHOOL	11904	293315	772875
YESHIVA IMREI YOSEF SCHOOL	11904	293315	772880
YESHIVA JESODE HATORAH	159027	293419	757667
YESHIVA JESODE HATORAH	159027	293419	757674
YESHIVA JESODE HATORAH	159027	295822	757968
YESHIVA JESODE HATORAH	159027	295822	757982
YESHIVA JESODE HATORAH	159027	295822	757991
YESHIVA JESODE HATORAH	159027	295822	758000
YESHIVA JESODE HATORAH	159027	295822	758008
YESHIVA JESODE HATORAH	159027	295822	758031
YESHIVA JESODE HATORAH	159027	295822	758069
YESHIVA KEHILATH YAKOV SCHOOL	11733	316264	833245
YESHIVA KEHILATH YAKOV SCHOOL	11733	316264	833257
YESHIVA KEHILATH YAKOV SCHOOL	11733	316264	833260
YESHIVA KEHILATH YAKOV SCHOOL	11733	316264	833266
YESHIVA KEHILATH YAKOV SCHOOL	11733	316264	833281
YESHIVA KEHILATH YAKOV SCHOOL	11733	316264	833292
YESHIVA KEHILATH YAKOV SCHOOL	11733	316264	833306
YESHIVA KEHILATH YAKOV SCHOOL	11733	316264	833314
YESHIVA KEHILATH YAKOV SCHOOL	11733	316264	833320
YESHIVA MASORAS AVOS	208620	294999	755488
YESHIVA MASORAS AVOS	208620	294999	755489
YESHIVA SHAREI HAYOSHER SCHOOL	223251	307166	796482
YESHIVA SHAREI HAYOSHER SCHOOL	223251	307166	796486
YESHIVA SHAREI HAYOSHER SCHOOL	223251	307166	796491
YESHIVA SHAREI HAYOSHER SCHOOL	223251	307166	796497
YESHIVA SHAREI HAYOSHER SCHOOL	223251	307180	796515
YESHIVA SHAREI HAYOSHER SCHOOL	223251	307180	796517
YESHIVA SHAREI HAYOSHER SCHOOL	223251	307180	796525
YESHIVA SHAREI HAYOSHER SCHOOL	223251	307180	796526
YESHIVA SHAREI HAYOSHER SCHOOL	223251	307180	796531
YESHIVA TORAS CHAIM	228834	317828	839201
YESHIVA TZEMACH TZADIK VIZNITZ	156405	295300	756693
YESHIVA TZEMACH TZADIK VIZNITZ	156405	295300	756699
YESHIVA ZICHRON MAYIR	194832	287235	750476
YESHIVA ZICHRON MAYIR	194832	287235	750479
YESHIVA ZICHRON MAYIR	194832	287235	750487
YESHIVA ZICHRON MAYIR	194832	287238	754703
YESHIVA ZICHRON MAYIR	194832	287238	754706
YESHIVA ZICHRON MAYIR	194832	287238	754709
YESHIVA ZICHRON MAYIR	194832	287238	754712
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	307499	798409
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756251
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756259

YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756269
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756277
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756281
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756286
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756296
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756305
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756309
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756319
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756331
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756335

We submitted this appeal in regard to the funding denials for all of the Schools and Libraries listed above. The reason given for their denial was "Bidding Violation". The funding decision explanations are listed below with the FRNs that were denied based on each explanation.

**"Similarities in Request for Proposal (RFP) and in selective review response provided to SLD among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process."**

471 Number	FRN's
294981	755422, 755423, 755424, 755425
287825	754354, 754355, 754356
287451	756134, 756142, 756149, 756159, 756179
288799	750616, 750618, 750619, 750621, 750622, 750623
293889	752457, 752458, 752460, 752461
287796	751429, 751432, 751433
296699	760405
322734	861618
294702	754526, 754527, 754528, 754529, 754530, 754531, 754532
287455	754519, 754520, 754521, 754522, 754523, 754525
287220	798783, 756242, 756247, 756254, 756256, 756271, 756276, 756279, 756282, 756285, 756287, 786875
313957	822117, 822151
324976	870476, 870489, 870498, 870517, 870525, 870537, 870584, 870589, 870594
300353	771807, 771815, 771820, 771832
294833	754967, 754970
287472	751369, 751370
287833	748470, 748550, 748552, 748567
287216	751450, 751452, 751454, 751457, 751459
304794	785641, 785685, 785731, 785766, 785816, 785852
293464	751193, 751196, 751198, 751202, 751204
291564	751169, 751171, 751175, 781992, 782003
293267	750555
293268	755040, 755042
294911	755054, 755055, 755056, 755058
294954	755330, 755331, 755334, 755335, 755336, 755337, 755338, 755339
295067	756166, 756171, 756176
305386	787887
300860	771623, 771632, 771640
300896	771707, 771714, 771721, 771729
287293	764943, 764962
287295	755516, 755517, 755518, 755519, 755520, 755521, 755522, 755523, 755524, 755525, 755526, 755527, 755528
321381	854040



293311	750685, 750686, 750687, 750688, 750689, 750690, 750692, 750693
301267	773076, 773080, 773096, 773109, 773117, 773126, 773135, 773144, 773159, 773168
293315	772817, 772827, 772833, 772841, 772852, 772857, 772865, 772875, 772880
293419	757667, 757674
295822	757968, 757982, 757991, 758000, 758008, 758031, 758069
294999	755488, 755489
307180	796515, 796517, 796525, 796526, 796531
295300	756693, 756699
287235	750476, 750479, 750487
287238	754703, 754706, 754709, 754712

**“Similarities in Request for Proposal (RFP) and in the Form 470 form identifier among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.”**

471 Number	FRN's
300877	771625, 771634, 771639, 771644
293323	750752, 750753, 750754, 750755
322057	857395
287134	750725
287198	750728, 750729, 750730, 750731, 750732
292962	755444, 755446
316264	833245, 833257, 833260, 833266, 833281, 833292, 833306, 833314, 833320
307499	798409
287319	756251, 756259, 756269, 756277, 756281, 756286, 756296, 756305, 756309, 756319, 756331, 756335

**“Similarities in Request for Proposal (RFP), technology plan, and selective review response among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.”**

471 Number	FRN's
287822	863870, 863545, 863565, 863581, 863596, 863616, 863660, 863716, 863756, 863773, 863794, 863803, 868821, 863843

**“Similarities in service descriptions on Forms 470 and in Request for Proposal (RFP) amongst applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.”**

471 Number	FRN's
307166	796482, 796486, 796491, 796497
317828	839201
298475	841289
297919	871154

**“Similarities in technology plan and in selective review response provided to SLD among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.”**

<b>471 Number</b>	<b>FRN's</b>
295523	757278, 757282, 757284, 757287, 757299, 757309, 757310, 757313, 757314, 757321, 757328, 757332, 757333, 757335, 757346, 757349, 757350, 757351, 757355
295698	757676, 757698
295714	757730
307138	796279, 796282, 796284, 796289, 796293, 796295, 796298

It appears to us, based on the SLD's denial of our appeal, that the SLD did not even consider the arguments posed and their response does not address our arguments.

In short, our appeal to the SLD simply stated that their original denial was flawed for two reasons; firstly because it was based on an assumption that certain actions took place and secondly because the actions assumed to have occurred, even had they occurred, were not in violation of program rules.

For the SLD to claim that the assumed actions, even if they had occurred, were a violation of program rules amounts to a retroactive re-writing of the program rules.

Please see the attached copy of our original appeal to the SLD.

Based on the arguments that program rules do not provide for the SLD to make denials based on assumptions and that the actions they assumed to have occurred were not in violation of program rules we request that the SLD denial of funding be overturned.

Arthur Jacknis  
Communication Data and Security Inc.



## Letter of Appeal

December 24, 2003

Letter of Appeal  
Schools and Libraries Division  
Box 125 – Correspondence Unit  
80 South Jefferson Road  
Whippany, NJ 07981

Contact Info: Arthur Jacknis  
55 Union Road  
Suite 204  
Spring Valley NY 10977  
SPIN: 143005086

Phone: 845-371-1111 ext 101  
Fax: 845-678-7101  
Email: [ajacknis@gocomdata.com](mailto:ajacknis@gocomdata.com)

Funding Year: 2002

Communication Data And Security, Inc. on behalf of the Schools and Libraries denied funding in Funding Year 2002 as per list below is submitting this Letter of Appeal:

APPLICANT NAME	BEN #	471 #	FRN
BAIS CHINUCH HAYOSHEN	210385	294981	755422
BAIS CHINUCH HAYOSHEN	210385	294981	755423
BAIS CHINUCH HAYOSHEN	210385	294981	755424
BAIS CHINUCH HAYOSHEN	210385	294981	755425
BAIS TOVA	209165	287825	754354
BAIS TOVA	209165	287825	754355
BAIS TOVA	209165	287825	754356
BAIS YAAKOV HIGH SCHOOL OF LAKEWOOD, INC.	197802	287451	756134
BAIS YAAKOV HIGH SCHOOL OF LAKEWOOD, INC.	197802	287451	756142
BAIS YAAKOV HIGH SCHOOL OF LAKEWOOD, INC.	197802	287451	756149
BAIS YAAKOV HIGH SCHOOL OF LAKEWOOD, INC.	197802	287451	756159
BAIS YAAKOV HIGH SCHOOL OF LAKEWOOD, INC.	197802	287451	756179
BETH RIVKA SCHOOL	11986	287822	863870
BETH RIVKA SCHOOL	11986	287822	863545
BETH RIVKA SCHOOL	11986	287822	863565
BETH RIVKA SCHOOL	11986	287822	863581
BETH RIVKA SCHOOL	11986	287822	863596

BETH RIVKA SCHOOL	11986	287822	863616
BETH RIVKA SCHOOL	11986	287822	863660
BETH RIVKA SCHOOL	11986	287822	863716
BETH RIVKA SCHOOL	11986	287822	863756
BETH RIVKA SCHOOL	11986	287822	863773
BETH RIVKA SCHOOL	11986	287822	863794
BETH RIVKA SCHOOL	11986	287822	863803
BETH RIVKA SCHOOL	11986	287822	863821
BETH RIVKA SCHOOL	11986	287822	863843
BNOS CHAYIL	195514	288799	750616
BNOS CHAYIL	195514	288799	750618
BNOS CHAYIL	195514	288799	750619
BNOS CHAYIL	195514	288799	750621
BNOS CHAYIL	195514	288799	750622
BNOS CHAYIL	195514	288799	750623
CONG. BNAI YOEL	148825	300877	771625
CONG. BNAI YOEL	148825	300877	771634
CONG. BNAI YOEL	148825	300877	771639
CONG. BNAI YOEL	148825	300877	771644
CONG. BNAI YOEL	148825	293323	750752
CONG. BNAI YOEL	148825	293323	750753
CONG. BNAI YOEL	148825	293323	750754
CONG. BNAI YOEL	148825	293323	750755
CONG. BNAI YOEL	148825	322057	857395
CONGREGATION MACHZIKEI HADAS OF BELZ	153066	293889	752457
CONGREGATION MACHZIKEI HADAS OF BELZ	153066	293889	752458
CONGREGATION MACHZIKEI HADAS OF BELZ	153066	293889	752460
CONGREGATION MACHZIKEI HADAS OF BELZ	153066	293889	752461
CONGREGATION NOAM E. LIZENSK	195522	287796	751429
CONGREGATION NOAM E. LIZENSK	195522	287796	751432
CONGREGATION NOAM E. LIZENSK	195522	287796	751433
CONGREGATION NOIAM MGODIM	210745	296699	760405
CONGREGATION NOIAM MGODIM	210745	322734	861618
GENERATION CHRISTIAN ACADEMY	227112	297919	871154
KAVANAS HALEV	208934	294702	754526
KAVANAS HALEV	208934	294702	754527
KAVANAS HALEV	208934	294702	754528
KAVANAS HALEV	208934	294702	754529
KAVANAS HALEV	208934	294702	754530
KAVANAS HALEV	208934	294702	754531
KAVANAS HALEV	208934	294702	754532
KAVANAS HALEV	208934	287455	754519
KAVANAS HALEV	208934	287455	754520
KAVANAS HALEV	208934	287455	754521
KAVANAS HALEV	208934	287455	754522
KAVANAS HALEV	208934	287455	754523
KAVANAS HALEV	208934	287455	754525
LAKEWOOD CHEDER SCHOOL	197819	287220	798783
LAKEWOOD CHEDER SCHOOL	197819	287220	756242
LAKEWOOD CHEDER SCHOOL	197819	287220	756247
LAKEWOOD CHEDER SCHOOL	197819	287220	756254

LAKEWOOD CHEDER SCHOOL	197819	287220	756256
LAKEWOOD CHEDER SCHOOL	197819	287220	756271
LAKEWOOD CHEDER SCHOOL	197819	287220	756276
LAKEWOOD CHEDER SCHOOL	197819	287220	756279
LAKEWOOD CHEDER SCHOOL	197819	287220	756282
LAKEWOOD CHEDER SCHOOL	197819	287220	756285
LAKEWOOD CHEDER SCHOOL	197819	287220	756287
LAKEWOOD CHEDER SCHOOL	197819	287220	786875
MACHNE KARLIN STOLIN	228598	313957	822117
MACHNE KARLIN STOLIN	228598	313957	822151
MIDRASH L'MAN ACHAI	220670	324976	870476
MIDRASH L'MAN ACHAI	220670	324976	870489
MIDRASH L'MAN ACHAI	220670	324976	870498
MIDRASH L'MAN ACHAI	220670	324976	870517
MIDRASH L'MAN ACHAI	220670	324976	870525
MIDRASH L'MAN ACHAI	220670	324976	870537
MIDRASH L'MAN ACHAI	220670	324976	870584
MIDRASH L'MAN ACHAI	220670	324976	870589
MIDRASH L'MAN ACHAI	220670	324976	870594
MIDRASH L'MAN ACHAI	220670	300353	771807
MIDRASH L'MAN ACHAI	220670	300353	771815
MIDRASH L'MAN ACHAI	220670	300353	771820
MIDRASH L'MAN ACHAI	220670	300353	771832
MIDRASH L'MAN ACHAI	220670	294833	754967
MIDRASH L'MAN ACHAI	220670	294833	754970
SHAAR EPHRAIM	153552	287472	751369
SHAAR EPHRAIM	153552	287472	751370
TALMUD TORAH BAIS YECHIEL	195206	287833	748470
TALMUD TORAH BAIS YECHIEL	195206	287833	748550
TALMUD TORAH BAIS YECHIEL	195206	287833	748552
TALMUD TORAH BAIS YECHIEL	195206	287833	748567
TALMUD TORAH OF LAKEWOOD	208930	287134	750725
TALMUD TORAH OF LAKEWOOD	208930	287198	750728
TALMUD TORAH OF LAKEWOOD	208930	287198	750729
TALMUD TORAH OF LAKEWOOD	208930	287198	750730
TALMUD TORAH OF LAKEWOOD	208930	287198	750731
TALMUD TORAH OF LAKEWOOD	208930	287198	750732
TALMUD TORAH TZOIN YOSEF PUPA INC.	153710	287216	751450
TALMUD TORAH TZOIN YOSEF PUPA INC.	153710	287216	751452
TALMUD TORAH TZOIN YOSEF PUPA INC.	153710	287216	751454
TALMUD TORAH TZOIN YOSEF PUPA INC.	153710	287216	751457
TALMUD TORAH TZOIN YOSEF PUPA INC.	153710	287216	751459
TIFERES ACADEMY	217560	304794	785641
TIFERES ACADEMY	217560	304794	785685
TIFERES ACADEMY	217560	304794	785731
TIFERES ACADEMY	217560	304794	785766
TIFERES ACADEMY	217560	304794	785816
TIFERES ACADEMY	217560	304794	785852
TORAS IMECHA	210389	292962	755444
TORAS IMECHA	210389	292962	755446
UNITED TALMUDICAL ACADEMY	11260	295523	757278

UNITED TALMUDICAL ACADEMY	11260	295523	757282
UNITED TALMUDICAL ACADEMY	11260	295523	757284
UNITED TALMUDICAL ACADEMY	11260	295523	757287
UNITED TALMUDICAL ACADEMY	11260	295523	757299
UNITED TALMUDICAL ACADEMY	11260	295523	757309
UNITED TALMUDICAL ACADEMY	11260	295523	757310
UNITED TALMUDICAL ACADEMY	11260	295523	757313
UNITED TALMUDICAL ACADEMY	11260	295523	757314
UNITED TALMUDICAL ACADEMY	11260	295523	757321
UNITED TALMUDICAL ACADEMY	11260	295523	757328
UNITED TALMUDICAL ACADEMY	11260	295523	757332
UNITED TALMUDICAL ACADEMY	11260	295523	757333
UNITED TALMUDICAL ACADEMY	11260	295523	757335
UNITED TALMUDICAL ACADEMY	11260	295523	757346
UNITED TALMUDICAL ACADEMY	11260	295523	757349
UNITED TALMUDICAL ACADEMY	11260	295523	757350
UNITED TALMUDICAL ACADEMY	11260	295523	757351
UNITED TALMUDICAL ACADEMY	11260	295523	757355
UNITED TALMUDICAL ACADEMY	11260	295698	757676
UNITED TALMUDICAL ACADEMY	11260	295698	757698
UNITED TALMUDICAL ACADEMY	11260	295714	757730
UNITED TALMUDICAL ACADEMY	11260	307138	796279
UNITED TALMUDICAL ACADEMY	11260	307138	796282
UNITED TALMUDICAL ACADEMY	11260	307138	796284
UNITED TALMUDICAL ACADEMY	11260	307138	796289
UNITED TALMUDICAL ACADEMY	11260	307138	796293
UNITED TALMUDICAL ACADEMY	11260	307138	796295
UNITED TALMUDICAL ACADEMY	11260	307138	796298
UNITED TALMUDICAL ACADEMY	11263	293464	751193
UNITED TALMUDICAL ACADEMY	11263	293464	751196
UNITED TALMUDICAL ACADEMY	11263	293464	751198
UNITED TALMUDICAL ACADEMY	11263	293464	751202
UNITED TALMUDICAL ACADEMY	11263	293464	751204
UNITED TALMUDICAL ACADEMY	11263	291564	751169
UNITED TALMUDICAL ACADEMY	11263	291564	751171
UNITED TALMUDICAL ACADEMY	11263	291564	751175
UNITED TALMUDICAL ACADEMY	11263	291564	781992
UNITED TALMUDICAL ACADEMY	11263	291564	782003
VIZNITZER CHAIDER TIFERES YISROEL	208926	293267	750555
VIZNITZER CHAIDER TIFERES YISROEL	208926	293268	755040
VIZNITZER CHAIDER TIFERES YISROEL	208926	293268	755042
VIZNITZER CHAIDER TIFERES YISROEL	208926	294911	755054
VIZNITZER CHAIDER TIFERES YISROEL	208926	294911	755055
VIZNITZER CHAIDER TIFERES YISROEL	208926	294911	755056
VIZNITZER CHAIDER TIFERES YISROEL	208926	294911	755058
WESTCHESTER SPEC ED SCHOOL	11097	298475	841289
YESHIVA AVIR YAKOV	11332	294954	755330
YESHIVA AVIR YAKOV	11332	294954	755331
YESHIVA AVIR YAKOV	11332	294954	755334
YESHIVA AVIR YAKOV	11332	294954	755335
YESHIVA AVIR YAKOV	11332	294954	755336

YESHIVA AVIR YAKOV	11332	294954	755337
YESHIVA AVIR YAKOV	11332	294954	755338
YESHIVA AVIR YAKOV	11332	294954	755339
YESHIVA AVIR YAKOV	11332	295067	756166
YESHIVA AVIR YAKOV	11332	295067	756171
YESHIVA AVIR YAKOV	11332	295067	756176
YESHIVA AVIR YAKOV	11332	305386	787887
YESHIVA BETH DAVID SCHOOL	11262	300860	771623
YESHIVA BETH DAVID SCHOOL	11262	300860	771632
YESHIVA BETH DAVID SCHOOL	11262	300860	771640
YESHIVA BETH DAVID SCHOOL	11262	300896	771707
YESHIVA BETH DAVID SCHOOL	11262	300896	771714
YESHIVA BETH DAVID SCHOOL	11262	300896	771721
YESHIVA BETH DAVID SCHOOL	11262	300896	771729
YESHIVA BNOS AHAVAS ISRAEL	152377	287293	764943
YESHIVA BNOS AHAVAS ISRAEL	152377	287293	764962
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755516
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755517
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755518
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755519
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755520
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755521
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755522
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755523
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755524
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755525
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755526
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755527
YESHIVA BNOS AHAVAS ISRAEL	152377	287295	755528
YESHIVA BNOS AHAVAS ISRAEL	152377	321381	854040
YESHIVA IMREI CHAIM VIZNITZ OF BOROBARK	153246	293311	750685
YESHIVA IMREI CHAIM VIZNITZ OF BOROBARK	153246	293311	750686
YESHIVA IMREI CHAIM VIZNITZ OF BOROBARK	153246	293311	750687
YESHIVA IMREI CHAIM VIZNITZ OF BOROBARK	153246	293311	750688
YESHIVA IMREI CHAIM VIZNITZ OF BOROBARK	153246	293311	750689
YESHIVA IMREI CHAIM VIZNITZ OF BOROBARK	153246	293311	750690
YESHIVA IMREI CHAIM VIZNITZ OF BOROBARK	153246	293311	750692
YESHIVA IMREI CHAIM VIZNITZ OF BOROBARK	153246	293311	750693
YESHIVA IMREI YOSEF SCHOOL	11904	301267	773076
YESHIVA IMREI YOSEF SCHOOL	11904	301267	773080
YESHIVA IMREI YOSEF SCHOOL	11904	301267	773096
YESHIVA IMREI YOSEF SCHOOL	11904	301267	773109
YESHIVA IMREI YOSEF SCHOOL	11904	301267	773117
YESHIVA IMREI YOSEF SCHOOL	11904	301267	773126
YESHIVA IMREI YOSEF SCHOOL	11904	301267	773135
YESHIVA IMREI YOSEF SCHOOL	11904	301267	773144
YESHIVA IMREI YOSEF SCHOOL	11904	301267	773159
YESHIVA IMREI YOSEF SCHOOL	11904	301267	773168
YESHIVA IMREI YOSEF SCHOOL	11904	293315	772817
YESHIVA IMREI YOSEF SCHOOL	11904	293315	772827
YESHIVA IMREI YOSEF SCHOOL	11904	293315	772833

YESHIVA IMREI YOSEF SCHOOL	11904	293315	772841
YESHIVA IMREI YOSEF SCHOOL	11904	293315	772852
YESHIVA IMREI YOSEF SCHOOL	11904	293315	772857
YESHIVA IMREI YOSEF SCHOOL	11904	293315	772865
YESHIVA IMREI YOSEF SCHOOL	11904	293315	772875
YESHIVA IMREI YOSEF SCHOOL	11904	293315	772880
YESHIVA JESODE HATORAH	159027	293419	757667
YESHIVA JESODE HATORAH	159027	293419	757674
YESHIVA JESODE HATORAH	159027	295822	757968
YESHIVA JESODE HATORAH	159027	295822	757982
YESHIVA JESODE HATORAH	159027	295822	757991
YESHIVA JESODE HATORAH	159027	295822	758000
YESHIVA JESODE HATORAH	159027	295822	758008
YESHIVA JESODE HATORAH	159027	295822	758031
YESHIVA JESODE HATORAH	159027	295822	758069
YESHIVA KEHILATH YAKOV SCHOOL	11733	316264	833245
YESHIVA KEHILATH YAKOV SCHOOL	11733	316264	833257
YESHIVA KEHILATH YAKOV SCHOOL	11733	316264	833260
YESHIVA KEHILATH YAKOV SCHOOL	11733	316264	833266
YESHIVA KEHILATH YAKOV SCHOOL	11733	316264	833281
YESHIVA KEHILATH YAKOV SCHOOL	11733	316264	833292
YESHIVA KEHILATH YAKOV SCHOOL	11733	316264	833306
YESHIVA KEHILATH YAKOV SCHOOL	11733	316264	833314
YESHIVA KEHILATH YAKOV SCHOOL	11733	316264	833320
YESHIVA MASORAS AVOS	208620	294999	755488
YESHIVA MASORAS AVOS	208620	294999	755489
YESHIVA SHAREI HAYOSHER SCHOOL	223251	307166	796482
YESHIVA SHAREI HAYOSHER SCHOOL	223251	307166	796486
YESHIVA SHAREI HAYOSHER SCHOOL	223251	307166	796491
YESHIVA SHAREI HAYOSHER SCHOOL	223251	307166	796497
YESHIVA SHAREI HAYOSHER SCHOOL	223251	307180	796515
YESHIVA SHAREI HAYOSHER SCHOOL	223251	307180	796517
YESHIVA SHAREI HAYOSHER SCHOOL	223251	307180	796525
YESHIVA SHAREI HAYOSHER SCHOOL	223251	307180	796526
YESHIVA SHAREI HAYOSHER SCHOOL	223251	307180	796531
YESHIVA TORAS CHAIM	228834	317828	839201
YESHIVA TZEMACH TZADIK VIZNITZ	156405	295300	756693
YESHIVA TZEMACH TZADIK VIZNITZ	156405	295300	756699
YESHIVA ZICHRON MAYIR	194832	287235	750476
YESHIVA ZICHRON MAYIR	194832	287235	750479
YESHIVA ZICHRON MAYIR	194832	287235	750487
YESHIVA ZICHRON MAYIR	194832	287238	754703
YESHIVA ZICHRON MAYIR	194832	287238	754706
YESHIVA ZICHRON MAYIR	194832	287238	754709
YESHIVA ZICHRON MAYIR	194832	287238	754712
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	307499	798409
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756251
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756259
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756269
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756277
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756281



YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756286
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756296
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756305
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756309
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756319
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756331
YESHIVATH VIZNITZ D'KHAL TORATH CHAIM	152310	287319	756335

We are submitting this appeal in regard to the funding denials for all of the Schools and Libraries listed above. The reason given for their denial was "Bidding Violation". The funding decision explanations are listed below with the FRNs that were denied based on each explanation.

**"Similarities in Request for Proposal (RFP) and in selective review response provided to SLD among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process."**

471 Number	FRN's
294981	755422, 755423, 755424, 755425
287825	754354, 754355, 754356
287451	756134, 756142, 756149, 756159, 756179
288799	750616, 750618, 750619, 750621, 750622, 750623
293889	752457, 752458, 752460, 752461
287796	751429, 751432, 751433
296699	760405
322734	861618
294702	754526, 754527, 754528, 754529, 754530, 754531, 754532
287455	754519, 754520, 754521, 754522, 754523, 754525
287220	798783, 756242, 756247, 756254, 756256, 756271, 756276, 756279, 756282, 756285, 756287, 786875
313957	822117, 822151
324976	870476, 870489, 870498, 870517, 870525, 870537, 870584, 870589, 870594
300353	771807, 771815, 771820, 771832
294833	754967, 754970
287472	751369, 751370
287833	748470, 748550, 748552, 748567
287216	751450, 751452, 751454, 751457, 751459
304794	785641, 785685, 785731, 785766, 785816, 785852
293464	751193, 751196, 751198, 751202, 751204
291564	751169, 751171, 751175, 781992, 782003
293267	750555
293268	755040, 755042
294911	755054, 755055, 755056, 755058
294954	755330, 755331, 755334, 755335, 755336, 755337, 755338, 755339
295067	756166, 756171, 756176
305386	787887
300860	771623, 771632, 771640
300896	771707, 771714, 771721, 771729
287293	764943, 764962
287295	755516, 755517, 755518, 755519, 755520, 755521, 755522, 755523, 755524, 755525, 755526, 755527, 755528
321381	854040
293311	750685, 750686, 750687, 750688, 750689, 750690, 750692, 750693
301267	773076, 773080, 773096, 773109, 773117, 773126, 773135, 773144, 773159, 773168
293315	772817, 772827, 772833, 772841, 772852, 772857, 772865, 772875, 772880

293419	757667, 757674
295822	757968, 757982, 757991, 758000, 758008, 758031, 758069
294999	755488, 755489
307180	796515, 796517, 796525, 796526, 796531
295300	756693, 756699
287235	750476, 750479, 750487
287238	754703, 754706, 754709, 754712

**“Similarities in Request for Proposal (RFP) and in the Form 470 form identifier among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.”**

471 Number	FRN's
300877	771625, 771634, 771639, 771644
293323	750752, 750753, 750754, 750755
322057	857395
287134	750725
287198	750728, 750729, 750730, 750731, 750732
292962	755444, 755446
316264	833245, 833257, 833260, 833266, 833281, 833292, 833306, 833314, 833320
307499	798409
287319	756251, 756259, 756269, 756277, 756281, 756286, 756296, 756305, 756309, 756319, 756331, 756335

**“Similarities in Request for Proposal (RFP), technology plan, and selective review response among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.”**

471 Number	FRN's
287822	863870, 863545, 863565, 863581, 863596, 863616, 863660, 863716, 863756, 863773, 863794, 863803, 868821, 863843

**“Similarities in service descriptions on Forms 470 and in Request for Proposal (RFP) amongst applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.”**

471 Number	FRN's
307166	796482, 796486, 796491, 796497
317828	839201
298475	841289
297919	871154

**“Similarities in technology plan and in selective review response provided to SLD among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.”**

471 Number	FRN's
295523	757278, 757282, 757284, 757287, 757299, 757309, 757310, 757313, 757314, 757321, 757328, 757332, 757333, 757335, 757346, 757349, 757350, 757351, 757355
295698	757676, 757698
295714	757730
307138	796279, 796282, 796284, 796289, 796293, 796295, 796298

In none of the explanations did the SLD state that any conduct that was prohibited by program rules had occurred and in specific they did not state that any conduct that was viewed as a bidding violation had occurred.

The explanation denies funding based on an assumption that Communication Data and Security Inc. performed certain actions; this assumption is based on SLD's conclusion that there were similarities found in the content of items submitted to the SLD by the schools that have used Communication Data and Security Inc. as a service provider.

The funding denials should be reversed because the decision was flawed in two ways.

First, the funding denials are based on an assumption. The funding decision explanation only states that the similarities cited “indicate” that certain conduct had occurred but does not state that the SLD actually determined the conduct had occurred.

Second, even if the SLD's accusations were assumed to be true, the assumed conduct was not prohibited by program rules and therefore could not have constituted a bidding violation.

All of the activities the SLD assumes to have having taken place, based on the similarities cited, are ones that are service provider neutral and were not prohibited.

Prior to the SLD's change in policy, released on May 13, 2003, which contradicted earlier policy, providing a school with assistance in the creation of a technology plan, request for proposal, providing information about items and services that can be included on a from 470, explanations about program forms (ideas of logical form identifiers to use) and assistance in understanding and responding to selective review questions was permitted, and even encouraged as long as that assistance was service provider neutral.

The actual contents of the items that the SLD felt had similarities are all service provider neutral.

Based on the arguments presented it is respectfully requested that the funding decision be reversed and that new Funding Commitment Decisions Letters are issued.

Arthur Jacknis  
Communication Data and Security Inc.